

**SAN RAFAEL SANITATION DISTRICT  
ORDINANCE NUMBER 54**

**AN ORDINANCE REQUIRING MAINTENANCE OF  
SANITARY SEWER LATERALS BY PROPERTY OWNERS**

THE BOARD OF DIRECTORS OF THE SAN RAFAEL SANITATION DISTRICT OF MARIN COUNTY DO ORDAIN as follows:

**SECTION 1.** Sewer laterals on private or public property are installed by the property owner or his/her predecessor in interest at his/her own expense and the accompanying responsibility to maintain the sewer lateral is properly the duty of the property owner since the San Rafael Sanitation District does not own, control, or maintain such sewer laterals.

**SECTION 2.** The policy of the San Rafael Sanitation District has been that the maintenance of sewer laterals is the responsibility of the property owner where the sewer lateral is located since the San Rafael Sanitation District does not own, control, or maintain such sewer laterals.

**SECTION 3.** The San Rafael Sanitation District intends by this ordinance to formalize both the policy mentioned above and the responsibility of private property owners to maintain sewer laterals on private property and within the road or other right of way where the sewer lateral connects to the sewer main.

**SECTION 4.** The San Rafael Sanitation District has determined that the maintenance of all sewer laterals within the geographical jurisdiction of the San Rafael Sanitation District shall be the responsibility of the property owner. Such maintenance responsibility of the property owner shall include sewer laterals that are within the road or other right of way where the sewer laterals connect to the sewer main.

**SECTION 5.** This ordinance shall be effective thirty (30) days after its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of the members voting for and against it in the Marin Independent Journal, a newspaper of general circulation published within said Sanitation District.

SECTION 6. Any person challenging the validity of any provision of this ordinance must do so within a court of competent jurisdiction not later than ninety (90) days from the effective date of this ordinance.

PASSED AND ADOPTED at a regular meeting of the San Rafael Sanitation District, held this 1st day of June, 2005, by the following vote:

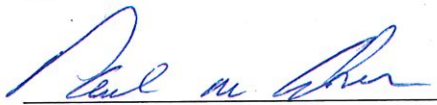
AYES: Director Cohen, Director Kinsey, Chairman Boro

NOES: None

ABSENT/ABSTAIN: None

  
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Albert J. Boro, Chairman

ATTEST:

  
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Paul M. Cohen, Secretary

APPROVED AS TO FORM:

  
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Jack F. Govi, Assistant County Counsel